

REMARKS

The Examiner's Office Action of mailed on January 18, 2005 has been received and its contents reviewed. Applicant would like to thank the Examiner for consideration given the application identified hereinabove, and for conducting two brief telephonic interviews with Applicant's representative on March 31, 2005 and on April 6, 2005, wherein the Examiner acknowledged that the current application does benefit claims under 35 U.S.C. 120, 121, or 365 (c) because the current continuation-in-part application was filed during the pendency of the referenced application and because the reference was made within four months of the actual filing date of the current continuation-in-part application.

Reconsideration of the above-identified continuation-in-part application in view of the amendments above and the remarks following is respectfully requested.

The letter "e" of the word "Appendage" was not included in the PAIR-retrievable version of the application title. The amended title serves to correct this error.

Claims 1, 5-7, 9, 10, and 12 have been objected to because of informalities, all of which have been amended, as identified by the Examiner, in the amended claims.

Claims 1-3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Chao, US 5,697,668. In Chao, seat 52 is integral to the

described adjustable chair. While Chao does describe an appendage as part of the adjustable chair (as may be found in other prior art chairs) he does not describe an appendage for retrofitting to a prior art office chair having a central column and feet assembly. The present invention teaches an appendage for retrofitting to a prior art office chair having a central column and feet assembly, as understood from amended claim 1, supported by Figs. 1A and 1B, and as described in the Specification in lines 3 and 24, on page 10.


Claims 1-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by PCT Publication WO 99/04670 to Baru. Baru discloses a computer work station 10 with a monitor supporting structure 14 (not an appendage) that includes a seat, as denoted in Figure 1. The seat is mounted on a pair of articulate rails 18, 20 and is not a prior art office chair comprising a seat supported by a central column and having a feet assembly attached thereto. It is respectfully submitted that the present invention teaches away from the invention disclosed in PCT Publication WO 99/04670 to Baru, which relates to a workstation having a built-in seat with a connection between the seat and a monitor support, and not an appendage retrofitted to a prior art chair.

It is therefore respectfully submitted that Claim 1 is not anticipated by Chao nor Baru (nor by other prior art) and is thereby allowable, thereby making dependent Claims 2-13 likewise not anticipated by the prior art and thereby allowable.

Claims 14 and 15 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Baru in view of Chao. Claims 14 and 15 are therefore cancelled.

In view of the above amendments and remarks it is respectfully submitted that all the pending claims are all now in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted


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